

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	CONTINUE TRIAL
vs.)	
)	Case No. 3:23-cr-173
Martell Rodell Dixon, et al.,)	
)	
Defendants.)	

Defendant Ashley Dana Marie Howard moves to continue trial. Doc. 31. Trial is set to begin on February 6, 2024. Defense counsel requests a continuance to further investigate, review discovery, and prepare for trial. Howard consents to a continuance and executed consent forms acknowledging that the delay will be excluded from any calculation under the Speedy Trial Act. Doc. 32. The Government does not object, and the other codefendant has not responded to the motion.

There is good cause to continue the trial, and “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial” pursuant to 18 U.S.C. § 3161(h)(7)(A). See United States v. Lucas, 499 F.3d 769, 782-83 (8th Cir. 2007); United States v. Hohn, 8 F.3d 1301, 1305 (8th Cir. 1993); United States v. Driver, 945 F.2d 1410, 1414 (8th Cir. 1991). So, the Court **GRANTS** the motion (Doc. 31). Trial will be reset to Tuesday, June 11, 2024, at 9:30 A.M. in Fargo. A four (4) day trial is anticipated. All time which elapses from the date of this order until trial shall be excluded from any Speedy Trial Act calculation. See 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).

IT IS SO ORDERED.

Dated this 29th day of January, 2024.

/s/ Peter D. Welte

Peter D. Welte, Chief Judge
United States District Court